Calendar No. 478

100TH CONGRESS
1st Session

SENATE

REPORT
100-249

BIG BEND NATIONAL PARK, TEXAS

DECEMBER 9 (legislative day, DECEMBER 8), 1987.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 2325]

The Committee on Energy and Natural Resources, to which was referred the Act (H.R. 2325) to authorize the acceptance of a donation of land for addition to Big Bend National Park, in the State of Texas, having considered the same, reports favorably thereon without amendment and recommends that the Act, do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 2325 is to revise the boundary of Big Bend National Park in Texas to include lands and interests therein comprising approximately 67,125 acres, known as the "Harte Ranch".

BACKGROUND AND NEED

The Harte Ranch, adjoining the Big Bend National Park, is currently owned by the Texas Nature Conservancy. The Harte brothers donated their ranch to the Texas Nature Conservancy in 1984 with the understanding that it would be donated to the National Park Service and become part of the Big Bend National Park as soon as practicable. The approximately 67,125 acre ranch covers much of the North Rosillos Mountain Range and includes the highest half of the Rosillos Mountains. The Harte Ranch has a contiguous boundary with the park for approximately 15 miles but is now generally outside the authorized boundary.

H.R. 2325 would revise the boundaries of the Big Bend National Park to include this important parcel. All but 1,280 acres, which are not owned by the conservancy, would be donated to the federal

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government. It is not clear whether these other owners will seek to donate their property or pursue selling it to the Park Service.

Legislative History

H.R. 2325 passed the House on October 5, 1987. The Subcommittee on Public Lands, National Parks and Forests held a hearing on the measure on November 12, 1987.

At a business meeting on December 2, 1987, the Senate Committee on Energy and Natural Resources ordered H.R. 2325, favorably reported.

Committee Recommendations and Tabulation of Votes

The Senate Committee on Energy and Natural Resources, in open business session on December 2, 1987, by a unanimous vote of a quorum present recommends that the Senate pass H.R. 2325, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford*	
Mr. Metzenbaum	
Mr. Melcher	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Fowler	
Mr. Conrad	
Mr. McClure	
Mr. Hatfield	
Mr. Weicker	
Mr. Domenici	
Mr. Wallop	
Mr. Murkowski	
Mr. Nickles	
Mr. Hecht	
Mr. Evans	

*Indicates voted by proxy.

Cost and Budgetary Considerations

The following estimate of the cost of this measure has been provided by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, DC, December 8, 1987.

Hon. J. Bennett Johnston, Jr.,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has reviewed H.R. 2325, an act to authorize the acceptance of a donation

of land for addition to Big Bend National Park, in the State of Texas, as ordered reported by the Senate Committee on Energy and Natural Resources, December 2, 1987. CBO estimates that the enactment of H.R. 2325 would result in a cost to the federal government of less than $200,000 in fiscal year 1988, assuming appropriation of the necessary amounts.

H.R. 2325 would revise the boundary of Big Bend National Park to include the Harte Ranch addition. The Secretary of the Interior would be authorized to acquire the addition by donation, purchase or exchange. Based on information obtained from the National Park Service (NPS), the 67,125-acre addition would be donated to the agency by the Texas Nature Conservancy. A small piece of land may also be purchased by the NPS, but the cost of the acquisition is expected to be under $200,000. Additional operating and maintenance costs for all lands acquired are not expected to be significant.

No costs would be incurred by state or local governments as a result of enactment of H.R. 2325.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

EDWARD M. GRAMLICH,
Acting Director.

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 2325. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 2325, as reported.

EXECUTIVE COMMUNICATIONS

The pertinent legislative report received by the Committee from the Department of the Interior setting forth executive agency recommendations relating to H.R. 2325 is set forth below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, November 27, 1987.

Hon. J. BENNETT JOHNSTON,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: This responds to your request for our views on S. 1636, a bill "To authorize the acceptance of a donation of land for addition to Big Bend National Park, in the State of Texas." We will also address H.R. 2325, a similar measure which passed the House of Representatives on October 6, 1987.

We recommend the enactment of S. 1636, which is identical to H.R. 2325 as introduced, rather than H.R. 2325 as passed by the House.

S. 1636 would authorize the Secretary of the Interior to accept the 67,100-acre Harte Ranch for addition to Big Bend National Park. The ranch is located adjacent to the northwest boundary of the park, immediately north of the Rosillos Ranch, which was authorized for addition to the park by the Act of December 28, 1980.

Big Bend National Park was authorized by the Act of June 20, 1935. It contains approximately 708,118 acres of Federal land and 33,000 acres of non-Federal land. The park combines the scenery, vegetation, and animal life represented by the Big Bend of the Rio Grande, the Chihuahuan Desert, and the mountains. Visitation to the park was more than 200,000 in 1986. The park was designated a Biosphere Reserve in 1976.

The Harte Ranch lies immediately west of the north entrance road to the park. The ranch has a contiguous boundary with the park for approximately 15 miles and contains the northern portion of the extremely scenic Rosillos Mountains. Buttrell Springs, the most consistently productive spring in the Rosillos Mountains, is on the property.

In 1977, the National Park Service began to explore a possible donation of the Harte Ranch for addition to Big Bend National Park, in order to assure protection of the scenic values of the ranch and those of the northern portion of the park. In 1984, the owners completed the donation of the property to the Texas Nature Conservancy, with the stipulation that it be transferred to the National Park Service for purposes of Big Bend National Park. Enactment of S. 1636 would enable us to accept the donation from the Conservancy.

There is temporary grazing on part of the ranch, which will be phased out shortly following the transfer to the National Park Service. The Conservancy has sold 10,000 acres of the ranch to a third party, subject to a conservation easement, which prevents subdivision into units smaller than 5,000 acres. This parcel is used for grazing. There are a three-bedroom ranch home occupied by the ranch foreman, a two-bedroom ranch house, a hunting lodge, and several outbuildings and corrals on the property. The Conservancy plans to use the lodge for another 10 years; the National Park Service will use the other two houses for employee or volunteer quarters.

The National Park Service has no plans for immediate development of the Harte Ranch. We will update the general management plan after the property is donated, and during that process any potential developments will be identified. Hiking and camping are the contemplated public uses of the area. We estimate that acceptance of the donation will result in an increase of only $15,000 in annual operating costs, chiefly for additional patrol mileage.

The State of Texas owns 14,680 acres of the subsurface estate, and we would expect to work with the State for a donation of its subsurface interests. The only other third-party interests are the 10,000-acre parcel, which is mentioned above, and three private tracts completely or partially surrounded by the Conservancy lands, totaling 1,280 acres. The conservation easement on the

10,000 acres will be donated by the Conservancy. We may explore a donation of these other interests with the owners, but we have no assurances that donations will occur. Even if we cannot obtain donations of these interests initially, we believe the very positive results of having the Conservancy property far outweighs any minor uncertainties that these third-party interests may represent. We therefore endorse S. 1636.

H.R. 2325, a similar measure which passed the House of Representatives on October 6, 1987, would authorize acquisition of this land by purchase or exchange, in addition to donation. We have no plans to exercise such purchase authority and no firm estimates of acquisition costs. For these reasons, we recommend that the authorization for purchase or exchange in H.R. 2325 not be enacted by the Senate. We prefer the language in S. 1636 instead.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,

WILLIAM P. HORN,
Assistant Secretary.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 2325, as reported.

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Calendar No. 479

100TH CONGRESS, *1st Session* | SENATE | REPORT 100-250

JIMMY CARTER NATIONAL HISTORIC SITE AND PRESERVATION DISTRICT

DECEMBER 9 (legislative day, DECEMBER 8), 1987.—Ordered to be printed

Mr. JOHNSTON, from the Committee on Energy and Natural Resources, submitted the following

REPORT

[To accompany H.R. 2416]

The Committee on Energy and Natural Resources, to which was referred the act (H.R. 2416) to establish the Jimmy Carter National Historic Site and Preservation District in the State of Georgia, and for other purposes, having considered the same, reports favorably thereon with out amendment and recommends that the act, do pass.

PURPOSE OF THE MEASURE

The purpose of H.R. 2416 is to establish the Jimmy Carter National Historic Site and Preservation District in Plains, Georgia.

BACKGROUND AND NEED

James Earl Carter, the 39th President of the United States, was born in Plains, Georgia in 1924 and raised there. He attended school in Plains, was married there and returned after leaving the White House.

The town of Plains developed as a rail center in the late 19th century and reached its maximum size during the late 1920's, prior to the Depression. The first structure built in the town was the railroad depot (1888). It served as the campaign headquarters in the Carter Presidential campaign. The Carter childhood home located just outside of Plains in Archery, Georgia was built in 1918. President Carter lived in this home until 1941. The Plains High School, built in 1922 and closed in 1979, is considered to be archetypical of the small town southern schools built during the first

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half of the century. The Carters moved into their current home in 1961 and returned there after President Carter's term in the White House.

There are currently 15 sites associated with Presidents in the National Park System, including sites for Presidents Washington, Taft, Theodore Roosevelt, Franklin Roosevelt, Hoover, Eisenhower, Johnson and Truman. Each of the these preserves and interprets the history of the man, his presidency and American history during his era. H.R. 2416, as ordered reported would add the Jimmy Carter Historic Site and Preservation District to the National Park System.

LEGISLATIVE HISTORY

H.R. 2416 passed the House on October 5, 1987. An identical Senate companion measure, S. 1779, was introduced by Senators Fowler and Nunn on October 9, 1987. The Subcommittee on Public Lands, National Parks and Forests held a hearing on the measure on November 12, 1987.

At a business meeting on December 2, 1987, the Senate Committee on Energy and Natural Resources ordered H.R. 2416, favorably reported.

COMMITTEE RECOMMENDATIONS AND TABULATION OF VOTES

The Senate Committee on Energy and Natural Resources, in open business session on December 2, 1987, by a unanimous vote of a quorum present recommends that the Senate pass H.R. 2416, as described herein.

The rollcall vote on reporting the measure was 19 yeas, 0 nays as follows:

YEAS	NAYS
Mr. Johnston	
Mr. Bumpers	
Mr. Ford*	
Mr. Metzenbaum	
Mr. Melcher	
Mr. Bradley	
Mr. Bingaman	
Mr. Wirth	
Mr. Fowler	
Mr. Conrad	
Mr. McClure	
Mr. Hatfield	
Mr. Weicker	
Mr. Domenici	
Mr. Wallop	
Mr. Murkowski	
Mr. Nickles	
Mr. Hecht	
Mr. Evans	

*Indicates voted by proxy.

SUMMARY OF MAJOR PROVISIONS

The Jimmy Carter National Historic Site established pursuant to H.R. 2416 would be comprised of the following real property:

1. the Carter home on Woodland Drive and 2.9 acres across from the home;
2. the Plains Railroad Depot;
3. Carter's boyhood home in Archery, Georgia;
4. a 100 foot-wide scenic easement along the Old Plains Highway near the boyhood home;
5. the Plains High School; and
6. the Gnann House located near the Carter home on Woodland Drive.

The Carter home, the Plains Railroad Depot, and the Plains High School may be acquired only by donation. The Gnann House, which is currently used to provide security for the Carters, is to be acquired by the General Services Administration and used for security purposes. After the need for security is passed, the property would be transferred to the Park Service for administration as part of the historic site. With respect to the high school, not more than 60 percent of the cost of restoration may be provided from appropriated federal funds.

In addition to the historic site, the Act also establishes the Jimmy Carter National Preservation District in order to preserve and interpret his life in the rural southern town of Plains. The historic district consists of the Plains Historic District listed in the National Register of Historic Places in 1984; a portion of Bond Street in Plains; and 650 acres of nearby agricultural lands. Land acquisition within the preservation district is limited to the donation and/or purchase of preservation easements.

Both the historic site and the preservation district are to be administered in accordance with provisions of law generally applicable to national historic sites including the 1916 Park Service Organic Act and the 1935 Historic Sites Act.

H.R. 2416 includes standard provisions relating to the establishment of an advisory commission and the preparation of a management plan for the historic site.

The Act also authorizes the Secretary to enter into a cooperative agreement with the State of Georgia to operate and use the State of Georgia Visitor Center in Sumter County. Such cooperation with the State of Georgia will not preclude the operation of a separate National Park Service visitor center.

The legislation authorizes such sums as may be necessary to carry out the purposes of the Act, but not more than $3.5 million for acquisition of real and personal property, preservation easements, and development.

COST AND BUDGETARY CONSIDERATIONS

The following estimate of the cost of this measure has been provided by the Congressional Budget Office.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 8, 1987.

Hon. J. BENNETT JOHNSON, Jr.,
Chairman, Committee on Energy and Natural Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the attached cost estimate for H.R. 2416, an act to establish the Jimmy Carter National Historic Site and Preservation District in the State of Georgia, and for other purposes.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,

Sincerely,

EDWARD M. GRAMLICH,
Acting Director.

CONGRESSIONAL BUDGET OFFICE, COST ESTIMATE

1. Bill number: H.R. 2416.

2. Bill title: an act to establish the Jimmy Carter National Historic Site and Preservation District in the State of Georgia, and for other purposes.

3. Bill status: Ordered reported by the Senate Committee on Energy and Natural Resources, December 2, 1987.

4. Bill purpose: H.R. 2416 would establish the Jimmy Carter National Historic Site, to be administered by the National Park Service (NPS). The NPS would be authorized to acquire lands and interests within the boundaries of the site by donation, purchase or exchange. The act would require one structure, the Gnann House, to be purchased by the General Services Administration for security purposes. The NPS would be directed to preserve and interpret related structures and other resources.

Section 2 would establish the Jimmy Carter National Preservation District in Georgia. The Secretary of the Interior would be permitted to purchase or accept preservation easements on significant resources within the district. In addition, the Secretary would be allowed to mark, interpret and provide technical assistance to other properties located there. A general management plan would be required for the historic site and the preservation district.

Sections 3 and 4 would provide for the further interpretation of the historic site and its subject by requiring the Secretary of the Interior to establish an advisory commission and to convene a meeting of scholars (25 years after the bill's enactment) to examine the life of former President Carter.

Finally, the act would authorize the appropriation of such sums as may be necessary to implement the bill's provisions, but not more than $3.5 million for acquisition and development within the site and district.

5. Estimated cost to the Federal Government:

[By fiscal year, in millions of dollars]

	1988	1989	1990	1991	1992
Estimated authorization level	4.0	0.3	0.3	0.3	0.3
Estimated outlays	0.9	1.4	1.2	1.0	0.6

The costs of this bill fall within budget function 300.

Basis of Estimate: For purposes of this estimate it is assumed that H.R. 2416 will be enacted during fiscal year 1988 and that the entire $3.5 million authorized for acquisition and development, plus approximately $500,000 estimated to be necessary for other expenses, will be appropriated for the year. Based on information provided by the NPS, CBO also has assumed that about $300,000 a year would be appropriated for operating and related expenses beginning with fiscal year 1989. Outlays have been estimated on the basis of historical spending patterns.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: On October 2, 1987, CBO prepared a cost estimate for H.R. 2416, as ordered reported by the House Committee on Interior and Insular Affairs, September 23, 1987. This estimate is identical to the earlier one.

9. Estimate prepared by: Deborah Reis.

10. Estimate approved by: C. G. Nuckols (for James L. Blum, Assistant Director for Budget Analysis).

REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of Rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out H.R. 2416. The Act is not a regulatory measure in the sense of imposing Government-established standards or significant economic responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of H.R. 2416, as reported.

EXECUTIVE COMMUNICATIONS

On October 23, 1987, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth executive views on H.R. 2416. These reports had not been received at the time the report on H.R. 2416 was filed. When the reports become available, the chairman will request that they be printed in the *Congressional Record* for the advice of the Senate.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of Rule XXVI of the Standing Rules of the Senate, the Committee notes that no changes in existing law are made by the Act H.R. 2416, as reported.

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